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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,023	11/19/2003	Thomas P. Branch	45011-271086	3205
826 ALSTON & BI	7590 06/26/2007 RD LLP	EXAMINER		
BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			LEWIS, KIANDRA CHARLE	
			ART UNIT .	PAPER NUMBER
			3772	
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			06/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/720,023	BRANCH, THOMAS P.		
Examiner	Art Unit		
Kiandra C. Lewis	3772		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCC) in compliance with 37 CFR 11.141. The reply must be filled within one of the following time periods: □ The period for reply expires months from the mailing date of the final rejection. □ The period for reply expires months from the mailing date of the final rejection. Whichever is later. In or event, however, with the statutory period for reply expires than SIX MONTHS from the mailing date of the final rejection, whichever is later. In or event, however, with the statutory period for reply expire than SIX MONTHS from the mailing date of the final rejection, whichever is later. In or event, however, with the statutory period for reply expire than SIX MONTHS from the mailing date of the final rejection, whichever is later. In one vent, however, with the statutory period for reply expire than SIX MONTHS from the mailing date of the final rejection, whichever is later. In a complex period of extension for the state for proproses of determining the period of extension and the corresponding amount of the file. The appropriate extension fee and from the state of the final rejection and the corresponding mount of the file. The appropriate extension fee and from the date of file of the final rejection, even if timely filed and the corresponding mount of the file. The appropriate extension fee and filed the file of the final rejection and for search (see NOTE below). **OTICE OF APPEAL** □ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 (e), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any repty must be filed wi	THE REPLY FILED 6/06/2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR A	
b)	this application, applicant must timely file one of the following replies: (1) an amendment places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The replitime periods:	t, affidavit, or other evidence, which) in compliance with 37 CFR 41.31; or (3)
no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). NNLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 708.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.13(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee may reduce any earned patent term adjustment. See 37 CFR 1.704(b). MOTICE OF APPEAL The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). MENDMENTS The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or In earned/ments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). MOTE: See Continuation Sheet: (See 37 CFR 1.116 and 41.33(a)). The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). Proposes of appeal, the proposed amendment(s): a) Will not be entered, or b) will be entered and		!
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Continuation of 3. NOTE: Amendment to claim 11 statig "wherein a gas is present between said limb portion and said structural body portion" and "wherein said gap is reduced" is an additional limitation that would require further search/consideration.